



Attorney Docket No. 206060

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PATENT  
7/6/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kovesdi et al.

Group Art Unit: Unassigned

Application No. 09/780,526

Examiner: Unassigned

Filing Date: February 9, 2001

For: METHODS OF PREPARING AND USING A  
VIRAL VECTOR LIBRARY

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that any reference listed thereon is prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that they represent art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that the references are not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

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The Information Disclosure Statement is being filed:

- within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); (b) within three months of the date of entry of the national stage as set forth in § 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- after** (a), (b), (c) or (d) above, but before the mailing date of a final action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
  - the Statement under § 1.97(e) (see "Statement under § 1.97(e)" below).  
*or*
  - the fee of \$180 set forth in § 1.17(p) (see "Fees" below).
- after** the mailing date of a final action under § 1.113 or a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under § 1.97(e) (see "Statement under § 1.97(e)" below), and the fee of \$180 as set forth in § 1.17(p) (see "Fees" below).
- after** the mailing date of a Notice of Allowance under § 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under § 1.704(d) (see "Statement under § 1.704(d)" below), and the fee of \$180 as set forth in § 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with §§ 1.97 and 1.98 is being filed.

#### Copies of the References

- Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of its relevance pursuant to § 1.98(a)(3).
- A copy of a foreign search report from a counterpart foreign application is enclosed herewith.
- The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and a copy of each reference was furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references.

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The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC § 120 in which copies of the reference were previously furnished are set out below:

U.S. APPLICATIONS		STATUS (CHECK ONE)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				
3. 0 /				

**Statement under § 1.97(e)**

- The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under § 1.704(d)**

- The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**Fees**

- No fee** is owed by the applicant(s).
- The **IDS Fee** of \$180 under § 1.17(p) is enclosed herewith.

**Method Of Payment Of Fees**

- Attached is a check in the amount of \$
- Charge Deposit Account No. 12-1216 in the amount of \$180.00. (A duplicate copy of this communication is enclosed for that purpose.)

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Application No. 09/780,526

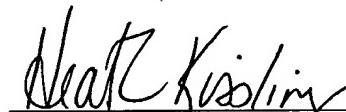
**Authorization To Charge Additional Fees**

- If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

**Instructions As To Overpayment**

- Credit Account No. 12-1216.  
 Refund.

Respectfully submitted,

  
Heather R. Kissling, Registration No. 45,790  
**LEYDIG, VOIT & MAYER, LTD.**  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: March 12, 2001

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Please type a plus sign (+) inside this box → 

PTO/SB/08A/B (10-96)

Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<p>Substitute for form 1449A (5-97) PATENT &amp; TRADEMARK OFFICE <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)</p>				<b>Complete if Known</b>			
				Application Number		09/780,526	
				Filing Date		February 9, 2001	
				First Named Inventor		KOVESDI, Imre	
				Group Art Unit			
				Examiner Name			
Sheet	1	of	2	Attorney Docket Number		206060	

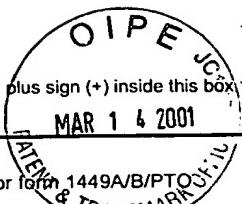
U.S. PATENT DOCUMENTS								
Examiner Initials <sup>1</sup>	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Filing Date If Appropriate
		Patent Number	Kind Code					
AA	5,989,553			Johnston et al.	11-23-1999			
AB	5,981,505			Weiner et al.	11-09-1999			
AC	5,958,672			Short	09-28-1999			
AD	5,955,275			Kamb	09-21-1999			
AE	5,939,250			Short	08-17-1999			
AF	5,830,876			Weiner et al.	11-03-1998			
AG	5,817,637			Weiner et al.	10-06-1998			
AH	5,783,386			Jacobs, Jr. et al.	07-21-1998			
AI	5,703,057			Johnston et al.	12-30-1997			
AH	5,622,699			Ruoslahti et al.	04-22-1997			
AJ	5,593,972			Weiner et al.	01-14-1997			
AK	5,270,170			Schatz et al.	12-14-1993			

FOREIGN PATENT DOCUMENTS										
Examiner Initials <sup>1</sup>	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Translation	
		Office	Number	Kind Code					Yes	No*
AL	WO	00/05406	A	M & E Biotech	02-03-2000					
AM	WO	99/64582	A	Introgen	12-16-1999					
AN	WO	99/45151	A	Mattson	09-10-1999					
AO	WO	99/41402	A	Maxygen	08-19-1999					
AP	WO	99/41383	A	Maxygen	08-19-1999					
AQ	WO	99/41369	A	Maxygen	08-19-1999					
AR	WO	99/41368	A	Maxygen	08-19-1999					

\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR § 1.98(b).

Examiner SigNAt.	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



- Please type a plus sign (+) inside this box →

PTO/SB/08A/B (10-96)

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

<p style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p style="text-align: center;"><i>(Use as many sheets as necessary)</i></p>				<i>Complete if Known</i>	
				Application Number	09/780,526
				Filing Date	February 9, 2001
				First Named Inventor	KOVESDI, Imre
				Group Art Unit	
				Examiner Name	
Sheet	2	Of	2	Attorney Docket Number	206060

## **FOREIGN PATENT DOCUMENTS**

\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR § 1.98(b).

Examiner SigNat.		Date Considered	
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